10 PACES-LAST EDITION.

FRIDAY, JULY 27, 1906. SALT LAKE CITY, UTAH.

NO GENERAL STRIKE WILL BE ORDERED

Such is Decision Reached by the Russian Revolutionary Committee.

EMPEROR IS IN HIGH SPIRITS.

He is Sure He Pursued Right Course in Suppressing the Parliament.

Seture Policy, "Strong Handed Reform"-Stolypin Issues Orders to Prevent Meetings.

St. Petersburg, July 27 .- At the end of a long series of conferences between the representatives of the central committees of the Social Democrats, Social Revolutionists, Peasants' League, Workmen's Councils of Moscow and St. Petersburg, the Group of Toil, members of the outlawed parliament and professional leagues, it was decided not to attempts immediately to summon the people to declare a general strike or armed uprising. The determining facfor in the decision was the advice of the revolutionary military committee which reported that the time was not quite ripe. It was decided, however, to energetically push preparations and to address manifestos to the army and navy, peasants, workmen and the peo-

CZAR IS PLEASED.

The emperor is apparently convinced that he took the right course in sup-pressing parliament. A member of the nobility enjoying personal relations with the sovereign and who saw him esterday, informed the Associated Press today that the emperor displayed exceptionally high spirits. Two weeks ago when he saw the emperor he seemed under a great mental strain over the situation. But with "parliad-ment off his hands," and the government free to pursue its own poli-cy again a great burden appeared to be lifted from his shoulders.

STRONG HANDED REFORM.

The original plan of creating an ad-isory council, the emperor having broken down Premier Stolypin's purpose, is to form a reorganized cabinet containing non-bureaucratic elements which will be able to introduce the policy of "strong handed reform" pro-claimed by the government. He has secured tentative acceptances from M. member of the Moscow zemstvo; Prince Georgi Evgororevich Lvoff, of Tula; Prince Nikolai Nikolaievitch Lvoff of Saratov, and M. Stakovich of Orel, upon the condition that no less than half the portfolios are to be given to nonbureaucrats and that a "broad, conciliaory program of reform" will be prolaimed in the hope of calming the popdation. Some of these with whom M. Stolypin is negotiating are insisting that the program must include an unequivocal declaration in favor of ng the Jews and all other inhabitants on an equal footing before the law.

APPEAL TO PEOPLE.

The Official Rossia, in a rather pathelic leading article today sumr the people who really desire to see Rusgla regenerated to abandon their indifattitude toward the revolution and strike hard for the government, "which is opening the doors to an era of reform," declaring that "no government has the right to try experiments

A STOLYPIN CIRCULAR.

Running parallel with the liberal promises, M. Stolypin has issued another circular to the governors, instructing them to keep close watch on population to prevent meetings tending to lawless acts and giving them authority to expel dangerous characters and arrest persons belonging to revolutionary parties, and when found in pos-session of incriminating documents, to "exile them to the uttermost limits of the empire."

"IN EXCEPTIONAL SECURITY."

Trans-Caucasia has been placed under decision regarding the proposed general strike is still in the balance. ences of the leaders are being greatly hampered by the activity of the police, who all day yesterday and last night hounded them from place to The hope of the leaders being bring about a genuine coup detat, however, is vanishing.

reports of the support to be exfrom the army are disappointng and certain faint-heartedness is noamong the leaders produced fear of failure in the face of the posing array of the government's forces. A section of the Constitutional Democrats has withdrawn from all participation in the conspiracy, being ready to sanction the opening

GOVT. SPIES MURDERED.

Half a dozen government spics were found dead in the industrial section of St. Petersburg this morning. Political assassinations are increasing in Poland and small strikes are reported to have been declared in many places in the provinces, but the peasant movement, so far as the reports show, is not gathering headway. Half of the Seminov-sky guard regiment has been to Cronstadt, in view of the ugly temper of the sailors there.

TWENTY-FIVE PASSENGERS INJURED IN RAILROAD WRECK

Springfield, Mo., July 27.-Twenty-five lassengers were injured, two probably and over a score more were badly shaken up in the derailment here last night of three coaches of a St. Louis and San Francisco train bound St. Louis.

probably fatally burt are R. J. Thorpe, Monticello, Ill., concusof brain. Mrs. Kate Schoulty, Highgate, Mo.,

head injured; hurt internally. Seriously injured: Florence Richmond, Muskogee, I. T., Susanne Huffman, Rush Springs, I.

Drury Holt, Carthage, Mo., back injur-Mrs. J. S. Moore, Springfield, Mo., body bruised.

This coach contained about 60 passen-gers, and all received injuries. The two sleepers remained on the rails.
W. T. Taylor, superintendent of the second district of the Frisco, personally supervised the relief of the injured.

RELIEF FUND COMMISSION TO BE ABOLISHED AUG. 1.

San Francisco, July 27-By the resignation of Col. Geo. H. Pippy, the relief commission appointed on July 1, to assume charge of the situation in San Francisco is to be abolished on Aug. 1. Dr. Edward T. Devine, representative of the National Red Cross, has already announced his impending departure fo the east and Edward T. Moran, the third commissioner has also tendered his resignation and the disposition of the fund, containing millions is turned over to the executive committee consist. ing of James D. Phelan, Charles L M. De Young, Rudolph Spreckles, F. W. Dohrmann and Thomas Magee. The action taken today eliminates three salaries of \$6,000 per year. Col. Pippy contributed the amount due him to the relief fund.

THIS TIME ENGINEER KILLED AND CONDUCTOR INJURED.

Ironton, Mo., July 27 .- A fast north-Southern passenger train, drawn by two engines, was wrecked near here last night by the engines jumping the track at a sharp curve, killing Engineer W. J. Edy of St. Louis of the first engine, and seriously injuring Fireman George Echard of De Soto.

Mo. The engineer and fireman of the The engineer and fireman of the second engine escaped with bruises. Several mail clerks were bruised, but one seriously injured. The baggage. mail cars and two coaches left the rails and plunged into an embankment. Beyond bruises, none of the passengers were injured.

BRITISH NAVY.

Agitation Against Excessive Reduction Succeeds.

London, July 27.-The agitation against excessive reduction of the naval construction program has proved successful and Edmund Robertson, parliamentary secretary of the admiralty announced in the house of commons today that only one battleship of the Dreadnaught class would be deleted from the original program although savings totalling \$12,500,000 would be effected by reducing the turn out of a number of smaller vessels. Mr. Rob-ertson said that only three new Dread-nauts would be laid down instead of four as originally proposed, two oceangoing torpedo destroyers would be built instead of five, and eight sub-marine boats instead of 12, while 12 coastal torpedoboat destroyers would be constructed as originally proposed. The total of the expenditure by the new program was \$34,000,000 instead of \$46,-

HEADLESS BODY FOUND.

One Discovered Near Warren, O., Causes Much Excitement.

Warren, O., July 27 .- Much excitement prevails today at Leavittsburg, O., near here, as a result of the finding of the headless body of a man in a berry patch. The head was later found a nearby hayfield. Both body and head were badly decomposed.

In the pockets were found letters showing that the man was Albert Ken-nedy, of Ellis, Mo. He had recently been living at Mantua, where a brother now resides.

Kermedy is known to have had \$300 just before his death. Only 75 cents and a silver watch were found in the ockets of the dead man.

Kennedy went west a few weeks ago o sell his farm and he intended to bring his daughter back to Ohio with him. If his daughter accompanied him she has disappeared. The police have taken steps to find if the girl accompanied her father and if so, to learn what has become of her.

Kennedy was last seen in Kansas City on June 26. It is supposed that ne was inveigled away from the station at Leavittsburg, where he was to have changed cars, and then killed for his noney. It is believed that a dog may have carried the head from the body. Kennedy was a temperate, quiet man of about 50.

ROOT AT RIO JANEIRO.

Welcomed by Representative of Gen. Branco and Cheered by Crowds,

Branco and Cheered by Crowds.

Rio de Janeiro, July 27.—The United States cruiser Charleston, with Secy. Root on board, entered the harbor from Bahia at 7 o'clock this morning and was saluted with 19 guns from the forts. The American ambassador, Mr. Griscem, and the Brazilian ambassador to the United States, Senor Nabuco, went on board the Charleston at 9:30, which was soon surreunded by hundreds of noisy launches and ferryboats crowded with people anxious to greet the American secretary of state. The latter and his family, accompanied by Senor Nabuco, landed in the 20-oar royal barge John V. I. amidst the salutes of the assembled warships, including those of Brazil, Germany and Argentina. On landing Mr. Root was welcomed by Gen. Rio Branco, the Brazilian foreign minister, as the representative of President of the accompanies of the accompanies of the professional three Accompanies of the high distribution was then held minister, as the representative of Presi dent Alves. A reception was then held beneath a floral arch at the landing place which was surrounded by troops and many thousands of cheering people.

PHILIPPINE CERTIFICATES

Million and a Half to be Retired by Issue of Million.

Ussue of Million.

Washington, July 27.—The bureau of insular affairs of the war department has announced that the \$1,000,000 Philippine temporary certificates of indebtedness maturing Sept I, will be retired by the issue of \$1,000,000 4 per cent certificates running for one year and the payment of the remainder in cash. The new issue of certificates will be in the denomination of \$1,000 dated Sept. I, and are exempt from all taxation. The secretary of the treasury-authorizes the statement that the certificates mentioned will be accepted at par as security for public deposits should further deposits be made and may be substituted for government bonds now held as security for deposits on condition that the government bonds thus released be used as security for additional circulation whenever in the judgment of the scretary of the treasury it is desirable to stimulate an increase in national bank circulation.

Bids will be received at the bureau of

culation.

Bids will be received at the bureau of insular affairs until 2 p. m.. Aug. 22, 1906. These certificates were issued to provide for the maintenace of parity of Philippine coinage. The maximum amount outstanding at any one time was \$6,000,000, which was reduced by the retirement of \$1,000,000, on May 1, 1905, and \$1,000,000 in cash Sept. 1 next will leave outstanding only the new issue of \$1,000,000.

KING EDWARD RECEIVES AM. MINING ENGINEERS.

London, July 27.—King Edward received he representatives of the American In-titute of Mining Engineers at Buckingbody bruised.

J. A. Murphy, Cape Girardeau, Mo., tuts.

The train, which was 10 minutes late, had left the station and was just getting under way when the trucks of a forward coach left the track at a split

SAGE MADE A FEW BEQUESTS

Is Left Twenty-five Thousand Dollars.

Nothing is Given to Charity-Amount, If it is Done Loganites Are Not Of His Fortune is Not Indicated.

New York, July 27.—The will of Russell Sager which was filed for probate today, bequeathes all of his estate to his widow, Margaret Olivia Sage, after the payment of \$25,000 to each of Mr Sage's nephews and nieces, and \$10,-600 to his sister, Mrs. Fanny Chapin, of Oneida, N. Y. Mrs. Chapin died since the will was made. The will also provides that in case of any of its beneficiaries contesting the probate of it, they shall be cut off from any share

There was nothing in the will to show the value of Mr. Sage's estate. The will was dated Feb. II, 1901, and was sworn to by Edward Townsend and R. W. Freedman as witnesses. It consists of about 800 words. There

are 11 sections. The first section provides for the payment of Mr. Sage's debts and funeral expenses. By the second, Mr. Sage bequeathes \$10,000 to Mrs. Fanny Chapin, wife of Samuel Chapin, of Oneida, N. Y., his sister. By the third, he gave \$25,000 to each of his nephews and nieces, and provided that in case any of them died before him, their allotment shall be distributed among their issue.

The fourth section provides: "All the rest, residue and remainder of my estate, I give, devise and bequeath to my wife, Margaret Olivia Sage, to have and to hold the same to ner absolutely and forever."

The fifth section provides that this

provision for Mrs. Sage is in lieu of all right of dower in the estate.

By the sixth section Mr. Sage empowered his executors to sell all this real estate. In the seventh section he provided that in case his bequests to his hister, nephews and nieces should lapse or fail, the amounts so bequeath.

a shall revert to Mrs. Sage. By the eighth section, Margaret Olivia Sage, Dr. John P. Munn, Almon Goodwin and Charles W. Osborne, "long my confidential and trusted assistant," were appointed executors and executors of the will, and it was provided that in case Mr. Osborne refused on ed that in case Mr. Osborne refused or was unable to serve as executor Ed-ward C. Osborne should fill the vacancy. It provided also that none of these persons should be requested to

give bonds.

Under the ninth section, the executors were authorized to rent an office to of friendliness has been goin, headquarters in Salt lake, headquarters in Salt lake,

estate. The tenth section revokes all former or other wills or testamentary disposi-

The eleventh section read as follows: "Should any of the beneficiaries under the will other than my said wife, object to the probate thereof or in any wise directly or indirectly contest or ald in contesting the same or any of the provisions thereof, or the distribution my estate thereunder, theh and in that event I annul any bequest herein made to such beneficiary, and it is my will that such beneficiary shall be abcolutely barred and cut off from any

While there was nothing in the will o show the value of Mr. Sage's estate, attorneys for Mr. Sage estimate it be-tween \$70,000,000 and \$80,000,000, of which mount about \$3,000,000 is outstanding in

S. F. PROPERTY LEASED.

San Francisco, July 26.—The old site of the St. Ignatius church and college comprising an entire block, was leased yesterday to Wanamaker & Brown of Chicago. The transaction is one of the largest made since the fire. The mount of rental for five years will aggregate \$291,000.

Wanamaker & Brown will erect a department store building to cost \$50,000.

MAHER LANDS LIVERPOOL CUP. Liverpool, July 27.—At the Liverpool July meeting today Lord Derby's Chaucer, Maher, the American jockey up, won the Liverpool cup, a handicap of 1,400 soverigns, one mile and three furlongs. Velocity was second and Dinneford third, Nine horses started. Chaucer, a competitive outsider, won a hard fought race by a reck from Velocity. The betting was 8 to 1 against Chaucer, 4 to 1 against Velocity, and 6 to 1 against Dinneford.

GEO. H. HADLEY BANKRUPT.

At One Time Was Partner of Senator Elkins and Henry G. Davis.

Elkins and Henry G. Davis.

San Francisco. July 27.—George G. Hadley, one time partner of Senator Stephen B. Elkins and Richard E. Kearns, both of West Virginia, and Henry Gassoway Davis, candidate for vice president on the Parker ticket, filed an application in bankruptcy yesterday. He states his liabilities amount to \$26,540. The better portion of this amount is represented by indebtedness to the Tarrytown National bank of Tarrytown, N. Y.

The papers in the application declare that the applicant is a co-partner with the above named politician in 260 acres of coal lands in West Virginia that were purchased some 20 years ago for the sum of \$300,690. He declares that it has been impossible for him to realize upon the property in which he holds one-eighteenth interest, and which has increased tenfold in value since the purchase was made.

BIG FIRE IN MARYVILLE, TENN. Maryville, Tenn., July 27,-Fire today destroyed the county courthouse. Har-per's department store and several oth-

Chicago, Ill., July 27.—A dispatch to the Tribune from Sheboygan, Wis., says:
The mysterious disappearatice of 27 acres on the shore of Long lake in Fond du Lac county, was cleared yesterday by the discovery that the tract had worked loose and drifted into the lake as a foot-

and drifted into the lake as a float-

OREGON ASYLUM ON FIRE.

Salem, Or., July 27 .- A fire broke out of the state asylum for insane near here today. There was no panic among the inmates nor any loss of life. The cause of the fire has not been ascertained. The loss will hardly exceed \$5,000.

THE PRESIDENT'S CALLERS,

Oyster Bay July 27 .- President Roose veit's callers today included E. E. Clark, the newly appointed member of the interstate commerce commission He came to talk over the rulway rate law and get in touch generally with the president's ideas regarding the en-

CONSOLIDATION AND BUSINESS

A Since Com

Each of His Nephews and Nieces | Logan Merchants Use Effective | Judge Landis Decides That City Trade Argument With Salt Lake City Firms.

Slow to Say They Will do Business Elsewhere in Future.

Several Meetings Quietly Held With Problem Now in Hands of Merchants And Manufacturers' Ass'n.

How would Utah like to have the city of Logan secede from the state? The proposition has been mentioned as a joke during the more heated hours of the controversys over consolidation ed and Dowie had no right to treat matters, but now it seems that at least as far as Salt Lake is concerned a commercial movement of that kind is

Logan merchants to retain the college in the northern town, then these same Sait Lake merchants can go whistie for orders, and Logan will place hers with anybody in preference, Ogden preferred. The matter has assumed a very serious phase to the Salt Lake merchants who wouldn't for the world do anything to antagonize Logan, and during the past week there have been conferences "to see what to do" in the matter among several Salt Lake firms, and the question has also been discussed in committee meetings of the Manufacturers & Merchants' associa-

NO ACTION TAKEN.

As yet no definite action has been taken. The college consolidation question, the merchants feel is one for the doc-tors of education to fix, and it is one they do not know so much about; they explain, and feel very incompetent to pass judgment upon. hey are fearful in this case that they - Il mingle in a matter too complicated to see their way out of, and one that is branching out into every corner of Utah life, agricul-tural, educational, political, and comtoo many sides to catch hold of hand-

y. For the past year a careful c aign sith objective the bringing here of Cache valley trade. It has been fairly successful and the merchants do not look kindly on the prospect of having the good feeling broken up by the ap-proaching conflict of forces over the matter of consolidation. Just what action will mature from the present discussion it is difficult yet to state, as opinion remains unsettled as to the best course to pursue. It is well known that during the last legislature strong pressure was brought to bear by Logan merchants against the employers of State Senator Stephen H. Love, who was a consolidation leader in the sen-It was urged then that his firm business if Mr. Love did not change his

DIFFERENT CAMPS.

Just now there is much concentrating as a decision by Gov. Cutler on the question of calling a special session of the legislature is expected daily, only a few days remain in which ft is likely that he will act. ous camps are forming for the battle with more or less sharply defined lines. There is one which may be styled "Friends of Logan," which includes the Logan merchants and Their most radical battle cry is that the consolidation movement is one of the part of Salt Lake citizens "to Agricultural college and move it to Salt Lake for the edification of this city's people. Then in educational circles, there are the friends the Agricultural college who urge that consolidation would be the death of agricultural work in Utah, that an agricultural student would thrive very poorly among companions seeking Greek letters and "higher" learning. and also in educational tircles the "Friends of the University of Utah," who conceive the fight as one primarily between the two institutions, who are pictured as rival institutions, each having its frends, and each preventing a unison of educational effort in the higher branches. They urge that separated the state is separated and factional, together support can be concentrated to make a great school, with no enemies at home to help one institution up by holding another one down. In political circles one faction is holding off, looking for a chance o fasten the responsibility for the move upon some other faction, with a full set of wind gages up to see what political capital can be made out of the situa-RETROSPECTION.

A historical phase of the complicated situation is that in the last legislature it was threshed out for two weeks on the floor of the senate. The senators became conversant with every phase of he entire question, and the governor's commission, which was the compromise clan adopted, was to secure opinion unrejudiced and unfactional to use as a basis for a future settlement. Many serators, among them Walton, Johnson and Callister, who were holding their vote pending further investigation, announced that they would vote for con-solidation if an unprejudiced committee favored it as an educational prob-lem, and considered as such alone. The supporters of the plan for an extra session fear that if the matter mixes too deeply into politics, it will fall to get a hearing on its merits. Since the pres-ent membership of the legislature has used up its good time becoming conver-sant with the problem in all its phases, it is held that it would be a waste of the state's time to force an entire rehearing before new legislators in the next regular session, who are not faulliar with the story, away back to itsbeginning years ago.

PRETENDER'S FORCES ROUTED.

DOWIE LOSES IN ZION CITY SUIT

And Its Industries Don't Belong to Him.

WIDOW GETS BULK OF ESTATE MUST NOT HELP U. OF U. PROPERTY IS HELD IN TRUST.

John C. Hately Appointed Receiver -Election for Overseer Ordered Third Tuesday, September,

Chicago, July 27 .- Judge Landis, in the United States district court, gave his decision today in the controversy between the adherents of John Alexander Dowle and Wilbur Voliva over the property at Zion City. The court holds that Zion City and

its industries do not belong to Dowle -that, while the contributors of the funds do not express a formal declaration of trust, the trust was creatthe property as his own. The court refused to appoint Alexander Granger receiver for the reason that Granger made a vow recognizing Dowie as "a Salt-Lake merchants have received word that unless they help out the cause of messenger of the covenant, the prophet foretold by Moses and Elijah the restorer," to which yow "all family ties and obligations and all relations." tios to human governments shall held subordinate." The court said The court said he was not obliged to repose confidence in a man so, constituted that, living in this republic, he would serenely vow his readiness at all times to abandon

his family and betray his country. The court ordered an election on the third Tuesday of September of a general overseer, all members of the church residing in Zion City, male and female, to have one vote. He announced that suitable provision would be made for Dowie on account of his services as trustee. Following is the decision:

JUDGE LANDIS' DECISION.

"It appears that Dowie, a native of Scotland, where he had received a theological education, came from Australia to the Pacific coast in 1888, and re-mained there a number of years, engaged in church work; from there he came to Chicago, and in 1899 under-took the Zion City enterprise in execution of a scheme conceived by him many years before; that he purchased a vast tract of land, a part of which was sub-divided and laid out in park and residence property, provision being made for manufacturing sites; that the grantees of building lots erected houses, accommodating 6,000 or 8,000 people; that Dowie constructed school houses and college buildings at a cost of several hundred thousand dollars and tabernacle seating 7,000 people, and that a lace factory, soap works and other to give employment to the inhabitants of Zion City, who were practically all members of the church. The financing of this scheme was accomplished, part by moneys received from pur-chasers of lots under 1,100 hundred year leases, but a large part of the capital

was money contributed to Dowle by persons outside of Zion City." ORIGIN OF PROPERTY.

Dowie's testimony respecting the origin of the property and his relation "I acquired this property by the gen-erosity of good people throughout the world; I have looked upon the estate as the result largely of my own good sense under God; the money came in the form of contributions from the over the world-mostly outside of Zion City. I believe the property to be completely mine to do with as I please, and that no human being has any claim or interest in it. I consider, claim or interest in it. I consider however, that the way I got the prop-erty and the way in which I have it binds me absolutely, when I have ceased to control it, to put it in trust in perpetuity for the Christian Catholic Apostolic church, so that it shall go down to generations to do good in that line, with the exception of 21/2 per cent which I think is fair for myself and my family. I did think 5 per cent, but I have reduced it to 2½, and am somewhat inclined to reduce it still more After calling attention to the fact

that inasmuch as Voliva's conveyances to Granger were in plain violation of the spirit and intent of Dowle's power of attorney to Voliva, which the court holds, both Voliva and Granger well knew, the court said: 'As between Dowie, Voliva and

Granger these instruments were mere waste paper,"

DOWIE'S CHURCH CAREER. The court then traced Dowie's church

career beginning in Australia, down to his work in Zion City and found that Dowie had for many years been in receipt of a large revenue, which he decoted to church and charity purposes; that the amounts received by him ag gregated in some years \$250,000; that Dowie had not sought to amass a pri-vate fortune; but that he engaged in secular occupation in aid of the propa-gation of his religious doctrine, as Dowe expressed it: "For God and human

The court then says: PROPERTY WAS A TRUST. "It is a well recognized principle of

equity that where a person accepts money or property to be used by him for the benefit of some other person or persons, or for the advancement of some lawful enterprise, such money or property constitutes a trust estate.
"The inquiry then is did these offerings come to Dowie for his private purposes or did the contributors intend that the funds should be devoted to charitable or religious pur-poses. If for any other purpose, than the purely personal benefit of Dowie, the estate is a trust. It is the duty of the court to get at the substance of the thing, and, in ascertaining the purpose of the gift, the court is not limited to an inspection of documents or other specific declarations praties made at the time. If their who receives the money is in a posi-tion of influence over him who gives the money, as, for instance, if the per son receiving the money is the adv and attitude and environment, Inducenumbers of people, that as an instru-mentality of divine authority, he can and does relieve physical ills, and is clothed with power to exert an in

the real character. It is just as if the contributor sitting in a church pew, had placed the funds on the collection plate passed to him by a dea-con. Surely, in such case, the court would not decree that the parson might put the money in his pocket on the alleged score of no agreement to the contrary, merely because the contributor had failed to arise in his place and obtain a pledge of trusteeship from the pulpit,

DOWIE'S CLAIM INCONSISTENT.

"It would be difficult to conceive of anything more inherently inconsistent than Dowie's claim of private owner-ship and his admission of trust obligation for the spiritual welfare of genera-tions unborn. He says it is his own property, and yet he considers that because of the way he got it, he is abso-lutely bound to turn it over to his successor in perpetuity for the church. Now, if he is to have a successor, that necessarily implies his own repre tive capacity, for the individual man can have no successor. And if he is to pass it on to his successor, how can he be at liberty to dispose of it otherwise in his life time?
"If, during his life time, he came to

divide it up among his followers, or part with it to some other use, as he may, if it were his private fortune, his admitted obligation to future generations would by his own act, be thus made impossible of fulfillment. Obviously the theory advanced in his behalf is not sound," After quoting from Dowle's officia

publication, Leaves of Healing, to show that for six or seven years Dowie had declared in the church and through the paper that he was a trustee of the es-tate, 95 per cent of which he asserted, belonged to "Zion as a whole," the court quotes a codicil to Dowle's will executed in August, 1905, as follows: CODICIL TO DOWIE'S WILL

"The remaining nineteen-twentieths

of said estate in my name, which I hold and have held in trust, in said church, I do hereby give, devise and bequeath to my said successor in office to him or her and his or her successors in office to be administered of said church and the extension of Zion and the king-dom of God in conformity with the rule and practises of said church. COURT'S CONSTRUCTION. Of this codicil, the court says:

"There is no escape from the plain meaning of these words, the deciaration is unqualified and is a complete recognition of an existing trust obligation. No specious construction could make anything else out of it, and for the ouri to enter a decree of private own-rship would be to perpetuate a fraud." As to who should be receiver, the deislon says:

QUESTION OF RECEIVER. "It is strongly insisted by Voliva and his associates that the defendant Gran-

ger be continued in charge. This aptolintment, it is asserted, is an absolute necessity. I do not concur in this proposition. Waiving all question as to Granger's unfitness from the standpoint of his ability, some time ago he took a vow from which I quote the fol-GRANGER'S VOW. "I vow in the name of God my Fath-er, and of Jesus Christ, His Son and my Savior, and the Holy Ghost that I recognize John Alexander Dowle, gen-

ral overseer in his three-fold prophetic

hat all family ties and obligations and ill relations to all human lives shall be held subordinate to this vow. This I make in the presence of God."

ah the Restorer: and I

COMMENT ON VOW. "It is not my duty to express my contempt for the man that could exact or take this oath. But I am not obliged to repose my confidence in a man so constituted that, living in this republic, he woul serenely vow his readiness at all times to abandon his family and betray his country. I will not appoint Alexander Granger. And, in this connection, while I make no pretense to technical learning in respect to what is good policy for this church organiza-tion, I suggest that whoever ultimatey prevails in the ecclesiastical controversy, give prompt and serious consideration to the question, whether or not such an oath tends to give respectabiliy to the church, and whether the church may justly expect a court of the United States to long continue to foster true esteem for a religious organization whose conscience and intelligence does not cause an unconditional disavowal and abandonment of the obli-

gation of this loyalty." ELECTION ORDERED.

The court ordered an election to be held on the third Tuesday of September of a general overseer, under the election laws of Illinois, at which all male and female members of the church now residing at Zion City and who have continuously resided there one vote; the judges of election to be named by the county court of Cook county; the names of persons to be voted for to be certified to the United States district court within 10 days. If no more than one name shall be considered, the court will, in dealing with the trust estate, recognize such persons as the legally chosen general verseer of the church. If more than one name is certified, such person shall have the use of the tabernacle at Zion City alternately up to the time of election. During such time the publication known as Leaves of Healing will be suspended, but the court orders a special edition to be gotten out at once ontaining a decision of the court in full, and directs that a copy of such publication be sent to all persons to whom the Leaves of Healing has been forwarded or delivered since March 31,

WILL PROVIDE FOR DOWIE

The court said that he would provide for Dowle inasmuch as the present value of the estate far exceeds the actual amount of contributions and officings -make a sultable provision for Dowie. for his services as trustee. The amour the court said, would be determined

the industrial affairs of Zion City in the hands of the court through the agency of Mr. Hately, while the church's spiritual matters will come under the supervision of the overseer be elected in Sept.

The effect of the decision is to place

Claims against Dowie are new claims against the receiver. Mr. Hately is a member of the board of trade, a capitalist, and is active in

charitable and reform movements.

As to the election Judge Landis as. sured the litigants that he took the responsibility for its fairness on his Dowle was not in court, illness con-

fining him to his hotel. A number of members of the church, who still cling him, were present. Wilbur Glenn Voliva, and his faction were numerously represented. Mr.

Voliva refused to discuss the decision, but the comment among spectators in the court indicated satisfaction at the outcome. With hardly any dissent, the

TAX SPENDERS

FIFTY-SIXTH YEAR.

RAISE CITY LEVY

Reformers Increase This Year's Rate Over Last by Three-Quarters of a Mill.

TREASURY DEFICIT OF \$83,512

This Condition Result of Policy Of Permitting Expenses to Exceed the Revenue.

Mayor Thompson Has in His Pocket a Report so Bad That He Will Not Let Public See It.

A meeting of the finance committee of the city council was held last evening at which it was decided to raise the tax levy from 11 to 11% mills. Perhaps no better evidence of the ut-

ter worthlessness of the many promises of reform, etc., made by the "American" party prior to its coming into power has so far come to light than that contained in the foregoing announcement. No particular excuse is offered except in a general way; "increased expenses" is mentioned vaguely and it is generally felt that "increased expenses" covers the ground about as well as any other words.

THE VARIOUS RATES.

Here is the report which the finance committee will present for ratification to the council on Monday evening next; Street 5 mills
Water supply 1% mills
Sewers 46 mill
Library 4 mill Varous reasons are advanced for the

raising of the rate on the various funds, with the exception of the contingent fund. This last is now overdrawn at the National Bank of the Republic in the sum of \$56,697.64, and the half mill increase in levy will not even wipe out this indebtedness. Under existing laws no further increase can be made in the rate of taxation for contingent fund purposes without legisla-tive enactment, and as matters now stand the rate must remain unchanged until the next regular session. Mea-tion has been made of a petition for office as a messenger of the covenant, the prophet foretold by Moses and Elithe purpose of calling an extra session to take up the matter, and in view of being prepared for the purpose of de-ciding upon the matter of the proposed consolidation of the University of Utah and the state Agricultural college, this may be done.

A SECRET STATEMENT.

A statement of the city's finances was recently prepared by Auditor Alff, but this is not available to newspaper men, The state law on the matter was revised March 14, 1901, to read Feb. I, instead of the first Monday in July as the date previous to which a full and complete financial statement must be published for the beneof the taxpayers. City Auditor Aiff does not deny that a recent state-ment has been placed in the hands of the mayor but evidently does not feel himself under any obligation to make its conteats known to the pub-

BIG TREASURY DEFICIT.

At last night's meeting a deficit of \$83,512 was admitted, this figure constituting the difference between the amount which can be raised by a mill street fund levy and the estimated expenses for the year. These last are placed at \$289,209.98, the receipts being estimated at \$205,697.64, the deficit being the difference.

ARUGMENTS FOR MORE CASH. The point has been made under the present administration that a city of the population of Salt Lake should have a contingent fund levy of at least 8 milis instead of 5 as at present, the fact that never before has such a rate been deemed necessary apparently carrying but little weight. Attention carrying but little weight. Attention has also been called to the decreased rate of expenditure in the engineering department in connection with the construction of the Big Cottonwood conduit under the present adminis-tration. That this is the case is admittedly true but it is equally obvious that the preliminary expenditures for engineering services must of nethe work has advanced to a polo

where a single engineer backed by half a dozen inspectors can successfully superintend the entire work. AN EXPENSIVE CHANGE

Commencing Jan. 1 clerks have een hired, salaries raised and changes had innovations inaugurated in a man-ner which could hardly fail to have but one result. Just how thorough this result has been will now be read-

A. Lewis, recognized as the spokesman Mr. Dowie, and who was chosen by n to manage the Paradise plantation of Mexico, the rock over which it is alleged the Dowie and Voliva partisans had the following to say of the

If the decree of Judge Landis stands, he Christian Catholic apostolic church f Zion is uprooted. The church is inded on the theory of a theocracy and how can an election under the laws Cook county, Ill., proclaim who shall be leader of the hosts. I maintain that God Almighty alone can designate who shall be the first apostle. I firmly beleve that the Lord has designated John Alexander Dowie to lead the hosts to the paths of light. Therefore when a special election is called the whole fabric of the church is destroyed. If God designates the leader how can man

'As far as property rights are concerned they matter little to us, the great question is that of spiritual control, upon that the very foundation of the church depends. I am sure Dr. Dowle will never be satisfied with the decision as rendered."

Dowle himself said that inasmuch as

choose him.

he had not had an opportunity to read

London, July 27.—A dispatch to a news agency from Tanglers, Morocco, says that a serious, all-day long engagement has occurred near Muluya, and that the pretender's forces were completely routed with heavy loss by the sultan's troops, who afterwards patick on their bayonets as trophies of the victory.

In the victory.

In the motive of such gift ought not long to remain a matter of doubt in the minds of rational men. The fact that such contributions came to him in the form of checks and currency, through the interests of the great majority of members in the Dowie church.

DEACON LEWIS' COMMENT.

Zion City, Ill., July 27.—Deacon John

DEACON Lewis and come from my counsel."